

Staff Report City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF MARCH 22, 2006

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR,
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: APPEAL OF SINGLE-FAMILY RESIDENCE (SFR) NO. 05-03

SUMMARY

An appeal of the Director's approval for the proposed construction of a new 3,080 square-foot residence on a vacant parcel zoned for single-family residence (R-1). The project is located north of Scotch Lane and east of Vista Drive.

RECOMMENDATION

The recommendation is for the Planning Commission to deny the appeal and uphold the Director's approval of SFR No. 05-03, subject to the Conditions of Approval.

BACKGROUND

On March 1, 2006 the Planning Commission continued the appeal to a special meeting on March 22, 2006. Staff had originally requested that the project be continued to the meeting on April 5th. The date was changed to March 22, 2006 to ensure that the processing of the project and appeal are within the mandatory time frames outlined in the California Permit Streamlining Act. The Commission also requested that staff provide them with additional copies of the original Letter of Appeal. A copy of the December 7, 2005 Planning Commission Staff Report (Attachment 1) includes the Letter of Appeal, Site Location Map, Conditions of Approval, and Project Plans.

The project site is in a remote, hillside area and it is difficult to visualize the location of the property and surrounding setting. During the public hearing on March 22nd, staff will provide photographs of the site and surrounding area and graphic aids in a PowerPoint presentation.

ANALYSIS AND CONCLUSIONS

The December 7, 2006 Planning Commission Staff Report contains pertinent project information and a more detailed analysis.

A denial of the appeal request will uphold the Director's approval of the project and Conditions of Approval. As indicated, the project would be subject to the Conditions of Approval, California Building Code, and other City development requirements. During the plan check process and prior to issuance of site Construction and/or Building Permits, the applicant must provide documentation that proves the site has well rights (for the provision of potable water) and legal access to the site using existing easements on adjacent properties. If the application cannot provide the required documentation to address the water and access issues, site Construction and Building Permits will not be issued and no construction may occur.

An approval of the appeal (without prejudice) would overturn the Director's approval and the project would be denied; however, the project applicant could appeal the Planning Commission's decision to the City Council. The applicant also could file a new Single Family Residence Application with the Department along with the required submittals and appropriate documentation that addresses the water and access issues. It should also be stated that if the appeal is denied, the appellants also have the option of appealing to the City Council.

Respectfully submitted by,
Allan Penaflorida
Planning Technician

ATTACHMENTS

1. December 7, 2005 Planning Commission Staff Report
Attachments:
 - A. Appeal Packet (dated November 17, 2005)
 - B. Site Location Map
 - C. Conditions of Approval
 - D. Project Plans

Attachment A

Appeal Packet (Dated November 17, 2005)

Staff Report

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF December 7, 2005

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR,
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: APPEAL OF SINGLE-FAMILY RESIDENCE (SFR) NO. 05-03

SUMMARY

An appeal of the Director's approval of SFR No. 05-03, citing easement rights, drainage issues, site accessibility, slope retention, water rights, among other documented concerns for the proposed construction of a new 3,080 single-family residence. A copy of the individual concerns and a signed petition from the residents of Scotch Lane (immediate neighbors) is available in Attachment A.

RECOMMENDATION

Staff recommends that the Planning Commission deny the appeal and uphold the approval of SFR No. 05-03 subject to the Conditions of Approval (Attachment C).

PERTINENT DATA

Appellant: Residents of Scotch Lane, Adjacent Property Owners

Property Owner/Applicant: Vincent Hall

General Plan: Residential Low Density

Zoning: Single-Family Residence (R-1)

Site: North of Scotch Lane and east of Vista Drive

Vegetation: None

Special Features: Vacant Lot

BACKGROUND AND EXISTING SETTING

Background

On November 7, 2005, an application for a new, 3,080 square-foot, single-family residence on a vacant lot north of Scotch Lane and east of Vista Drive (Attachment B) was approved by the Community Development Director. An appeal of this decision was filed on November 17, 2005 by residents of Scotch Lane and surrounding areas. The appellants stated and documented their concerns about the proposed construction in the appeal packet (Attachment A). On December 7, 2005, the appellants requested a continuation of the item to the January 11, 2006 Planning Commission meeting. The McMillan family, whose property is adjacent to the proposed construction site, could not attend the December meeting.

Existing Setting

The subject parcel is located in the southwest quadrant of the City, within the County of San Bernardino, and next to the Loma Linda "south hills" area. The property is approximately one half mile east of Reche Canyon Road and approximately a quarter of a mile north of Scotch Lane (unpaved). Adjacent single-family residences occupy generally expansive and mostly undeveloped lots. The surrounding terrain can be characterized as hilly and agrarian.

ANALYSIS

Project Description

The proposed single-family residence is consistent with both the existing and draft General Plans and is in compliance with the Loma Linda Municipal Code. The two-story structure will have a total floor area of 3,080 square-feet and will be constructed on an existing vacant lot that is approximately one acre in size. The lot coverage is approximately 3.5 percent.

Drainage And Erosion

The appellants are concerned about the drainage from the proposed property and the negative impact (i.e., pooling, soil erosion) it has on the adjacent properties. They have concerns about the capabilities of the proposed drainage riprap pad (designed to slow the water velocity to reduce impact) and the sufficiency of the proposed mitigation.

The project is proposed on an existing lot of record from a subdivision that occurred prior to City incorporation. Historic drainage and erosion patterns will be modified and subject to specific requirements of the City. Approved grading and drainage plans are needed as part of the overall approval requirements for the project as part of the building plan check process.

Water rights

The appellants are concerned that the owner of the project does not have water rights to the area well to adequately supply the structure with water for daily use and for emergencies. They are also concerned that if built, the new structure will stress the existing well and reduce the water table, which would decrease the overall water supply of the neighborhood.

The project site is located beyond the extensions of existing City water lines. Properties in this part of the City are reliant on private well sites and the rights are shared between property owners. An adequate water source (existing or new) is required for daily use and to mitigate any fire hazards. New projects are required to meet the minimum water pressure standards for the fire suppression systems.

The applicant for the proposed single-family residence provided staff with a revised parcel map that outlines the easements on the subject parcel and surrounding properties. The rights to these easements including the driveway and well access have to be substantiated prior to the construction of the structure.

Site Accessibility

Due to the isolated location of the project site, the appellants are concerned that in a likely event of a fire, access will be limited due to poor road conditions and result in a defective response to the emergency. The deteriorated roadway is unpaved and will be further impacted by the proposed construction. In response, the site is required to have adequate infrastructure to accommodate the ingress and egress of fire apparatus, emergency vehicles, as well as any heavy equipment related to the construction of the project. Plans must meet the performance requirements of these vehicles (i.e. turning radius, clearances) in order for the project to be approved. The Fire Department have specific site requirements that will be addressed during the Plan Check process, which will also be included in the Conditions of Approval.

Slope Retention

A retaining wall is proposed on the north side of the property. The appellants are concerned that with the proposed slope cut will compromise the integrity of the slope leading to the potential damage to adjacent properties. The proposed retaining wall will be abutting a slope that is close to an existing driveway.

Staff will approve the project based on the appropriate pad certification and slope retention methods. The City has specific standards for the construction of retaining walls, which mitigate any outstanding concerns about slope integrity. Soil and compaction studies need to be reviewed and approved before any construction can occur. These requirements are addressed during the Plan Check process.

Structurally, the project will need to be consistent with the requirements that are set forth in Uniform Building Code (UBC), California Building Code (CBC), Uniform Fire Code (UFC), and the California Fire Code (CFC). As it stands, the required conditions regarding the construction are considered reasonable and adequate by staff.

All other concerns by the appellants are in consideration and will be incorporated into the Conditions of Approval. The project will need to meet the development standards for the Single-Family Residence (R-1) zone.

Environmental Evaluation

The proposed single-family development is exempt under Class 3 Categorical Exemption from the requirements of CEQA pursuant to Section 15303 (*New Construction*) of the CEQA Guidelines. This exemption class addresses the construction and location of limited numbers of new, small facilities or structures, including one single-family residence or second dwelling unit in a residential zone.

CONCLUSION

All elements of project are consistent with the existing General Plan and the Draft General Plan Update (October 2005). The project is also in compliance with the Single-Family Residence (R-1) zoning regulations. Implementation of the Conditions of Approval will ensure that the project complies with all applicable City standards and requirements, as well as addressing any concerns and comments by the appellants. Comments received from other City departments have been addressed through revisions to the project design and Conditions of Approval. The applicant has worked with the Community Development staff and has made an effort to comply with the City's requirements.

Respectfully submitted,

Allan Penaflorida,
Planning Technician

ATTACHMENTS

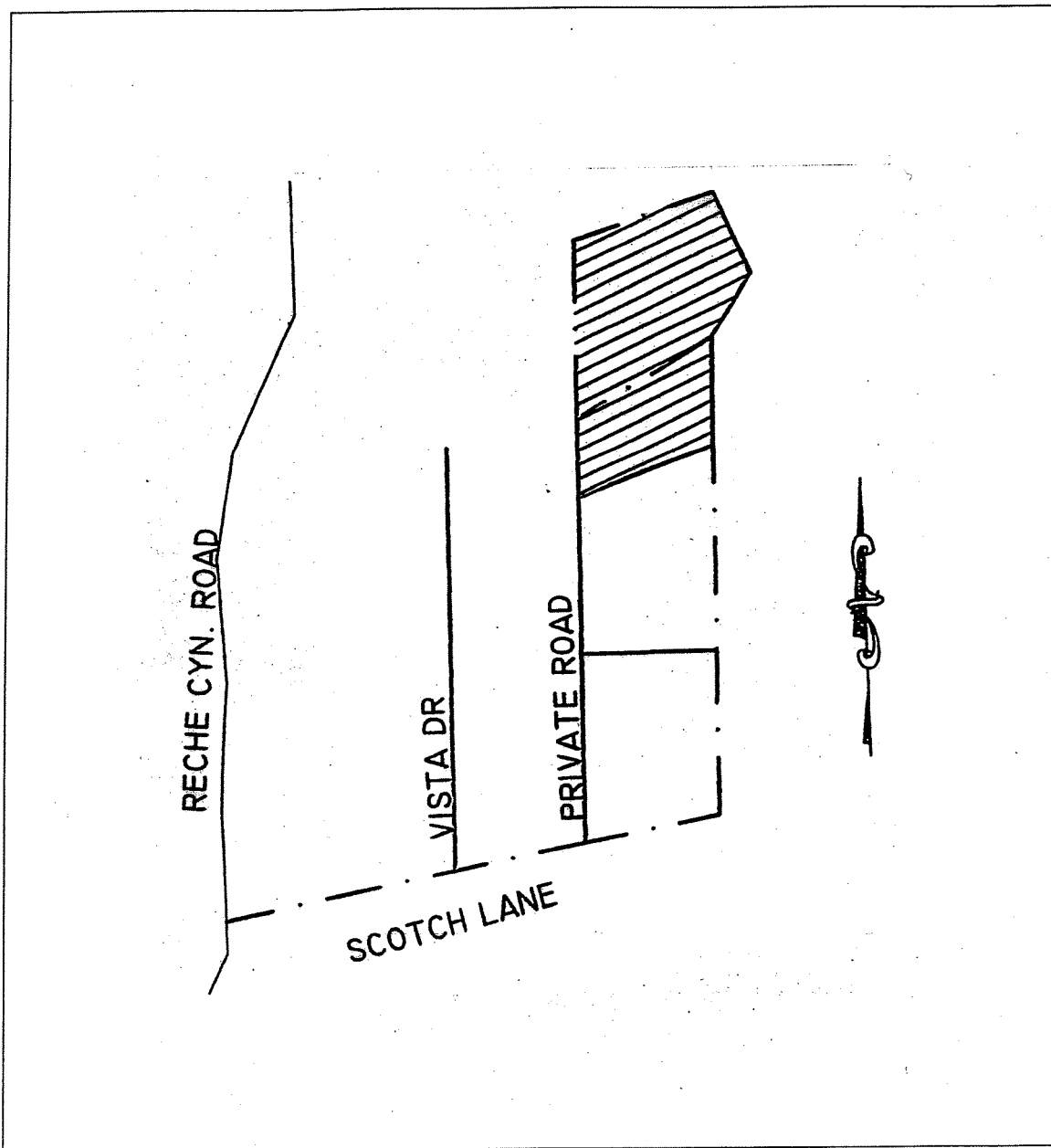
- A. Appeal Packet (dated November 17, 2005)
- B. Site Location Map
- C. Conditions of Approval
- D. Project Plans

Attachment B

Site Location Map

Vicinity Map

SFR 05-03



Attachment C

Conditions of Approval

Conditions of Approval for SFR 05-03

1. COMMUNITY DEVELOPMENT DEPARTMENT

- 1.1 Within one (1) year of this approval, substantial construction of the project shall have commenced or the permit/approval shall become null and void. In addition, if construction of the project is discontinued for a period of six (6) months, then the permit/approval shall become null and void.

PROJECT: SINGLE FAMILY RESIDENCE 05- 03
EXPIRATION DATE: MARCH 1, 2007

- 1.2 The applicant shall landscape any part of the developed lot that is visible from the street as landscaping is defined in Section 17.02.215 of the Loma Linda Municipal Code (LLMC) and maintain the landscape pursuant to Section 17.34.045 of the LLMC.
- 1.3 Approval of SFR No. 05-03 is contingent upon the applicant and the property owners signing and returning an "Agreement to Conditions Imposed" form as established by the Community Development Department (Attached).
- 1.4 In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, its officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys' fees that the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
- 1.5 The applicant shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development (including custom single-family residences). Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits. Please contact Elliot Patterson, Information Systems Supervisor at 909 799-2897 for further information.
- 1.6 The applicant shall establish or authenticate rights to an adequate water source and demonstrate easement rights that grant access to the project site. Improvements to the site, including accessibility, shall meet City standards and the requirements of the latest editions of the Uniform Building Code (UBC)/California Building Code (CBC) and the Uniform Fire Code (UFC)/California Fire Code (CFC).

2. **PUBLIC WORKS:**

- 2.1 Grading/drainage plan required.
- 2.2 NPDES Best Management Practice standards shall be incorporated into grading, erosion control and improvement plans and followed during construction. Proper grading and erosion control procedures shall be followed to prevent sedimentation and damage to off-site property. Permanent erosion control facilities or slope plantings may be required to control runoff and debris flowing downstream.
- 2.3 Comply with City's Construction & Demolition Policy for recycling of building materials.
- 2.4 All utilities to the proposed residence shall be placed underground.

3. **BUILDING AND SAFETY DIVISION:**

- 3.1 All construction shall meet the requirements of the 2001 California Building Code (CBC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of any building permits.
- 3.2 Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of the certificate of occupancy.
- 3.3 Separate submittals and permits required for detached accessories such as patios, block walls, retaining walls and trash enclosures.

4. **PUBLIC UTILITIES:**

- 4.1 Backflow device required for fire sprinkler system and pressure boosting station. Contact Public Utilities Supervisor Greg Snyder at (909) 799-4410 for further information.

5. **PUBLIC SAFETY:**

- 5.1 All construction shall meet the requirements of the editions of the Uniform Building Code (UBC)/California Building Code (CBC) and the Uniform Fire Code (UFC)/California Fire Code (CFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
- 5.2 Due to the location of the site within the City's designated Hazardous Fire Area, all requirements of amended UFC Appendix II-A, including Section 26 - "Fire-Resistive Construction In An Urban/Wildland Interface Area" - and UBC Chapter 36 - "High Fire Hazard Areas" - shall apply.
- 5.3 Vinyl window frame assemblies shall be prohibited, except when they have the following characteristics:

- a) Frame and sash are comprised of vinyl material with welded corners;
 - b) Metal reinforcement in the interlock area;
 - c) Glazed with insulating glass, annealed or tempered;
 - d) Frame and sash profiles are certified in AAMA Lineal Certification Program (verified with either an AAMA product label or Certified Products Directory); and
 - e) Certified and labeled to ANSI/AAMA/NWDA 101/I.S.2-97 for structural requirements.
- 5.4 Roof-mounted turbine vents shall not be permitted unless provided with internal screening having openings of not more than 1/8 inch.
- 5.5 Open ends of tile roofs shall be capped or filled to prevent entry by burning embers.
- 5.6 Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.220, and as further modified herein, the building, including the garage, shall be equipped with fully automatic fire sprinkler system meeting the requirements of National Fire Protection Association (NFPA) 13D. A sprinkler shall also be placed above the Forced Air Unit (FAU), if such unit is placed within the attic.
- 5.7 Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler systems shall be submitted to Fire Prevention for review and approval prior to installation.
- 5.8 All natural and manufactured slopes shall be provided with approved fuel modification zones meeting the requirements of UFC Appendix II-A Section 16 - Clearance of Brush or Vegetative Growth from Structures - as specified by Fire Prevention at the time of check of grading and landscape plans. The zones shall be planted with approved drought- and fire-resistant species acceptable to the Fire Marshal and the Director of Community Development as shown on an approved landscape plan. The landscape plan(s) shall be prepared by an approved landscape designer or licensed landscape architect. The "Loma Linda Urban/Wildland and Fire Prevention Guide", the section on "Fire" in the Sunset Western Landscaping Book, and other appropriate reference documents may be used to assist in preparation of the plan.
- 5.9 Acceptable provisions shall be made for the on-going maintenance of the landscaped areas, fuel modification zones and adjacent natural brush areas.
- 5.10 Natural and graded slopes with greater than 30% grade shall incorporate soil erosion and sediment control measures to alleviate permanent scarring and accelerated erosion following a brush fire.
- 5.11 All areas used for the storage of firewood or other flammable materials shall either be at least 30 ft. away from all structures, or wholly enclosed within a structure.
- 5.12 Any fences shall be constructed of non-combustible materials.

- 5.13 The applicant(s) shall acknowledge that the project site is within the City's designated Hazardous Fire Area, and agree to provide, install, and maintain all applicable requirements, including those specified above. The Public Safety Department can be reached at (909) 799-2850.

Within 48 hours of approval of the subject project, the applicant shall deliver to the Community Development Department, a check or money order made payable to the **COUNTY OF SAN BERNARDINO** in the amount of \$25.00 (twenty-five dollars) to enable the City to file the Notice of Exemption for the project. If within such 48 hour period that applicant has not delivered to the Community Development Department the above-noted check, the statute of limitations for any interested party to challenge the environmental determination under the provisions of the California Environmental Quality Act could be significantly lengthened.

Please contact us at (909) 799-2830 if you have any questions or concerns regarding the approval of SFR No. 05-03. Thank you for your time and attention to this matter.

Sincerely,

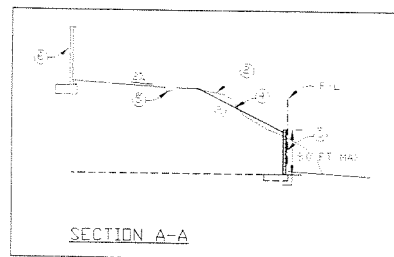
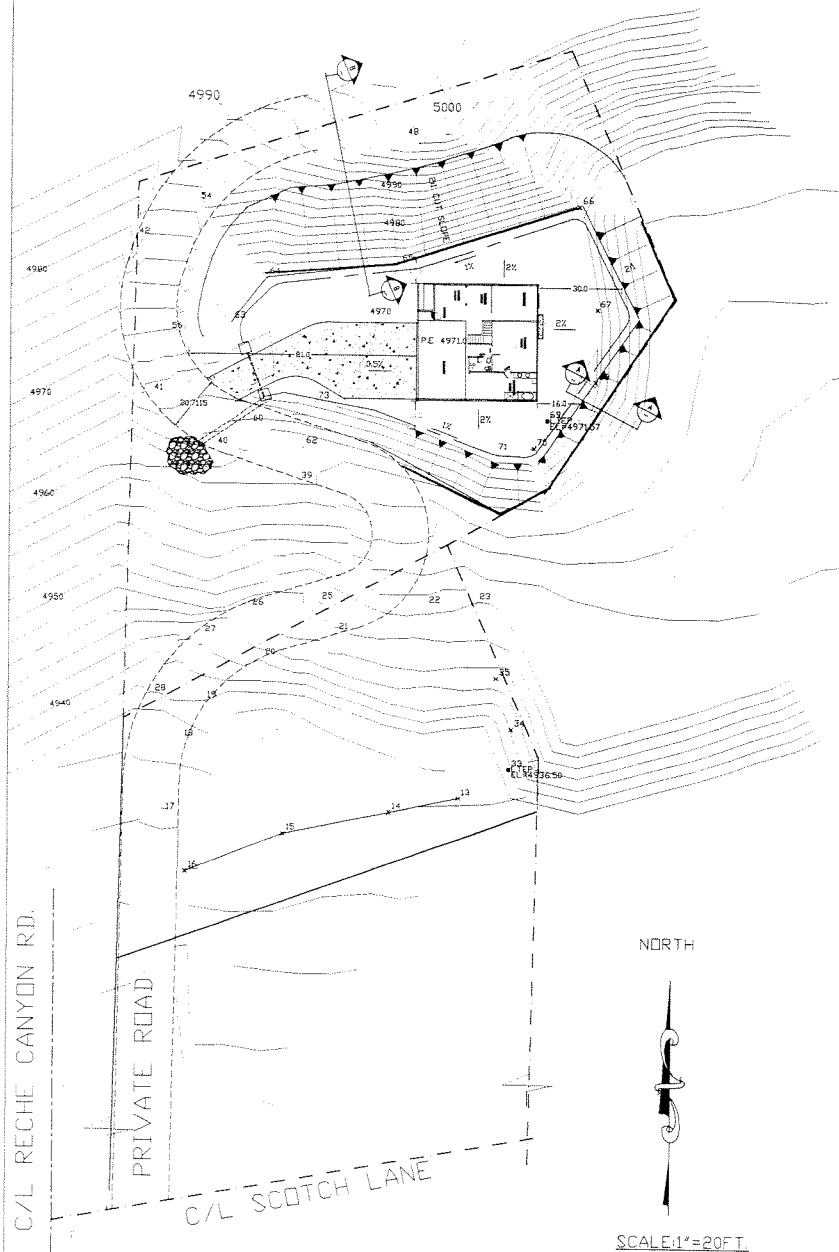
Allan Penaflorida
Planning Technician

Cc: Jeff Peterson, Associate Engineer
Rolland Crawford, Fire Marshal
Jim Barrett, Supervising Senior Building Inspector
Project File – SFR No. 05-03

Attachment D

Project Plans

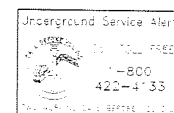
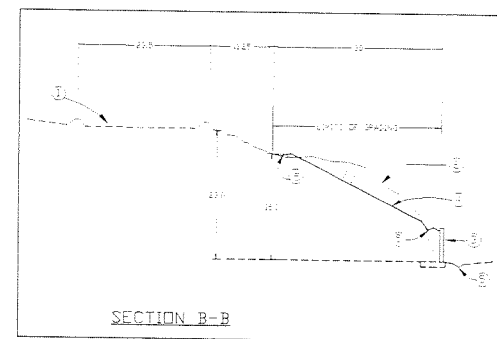
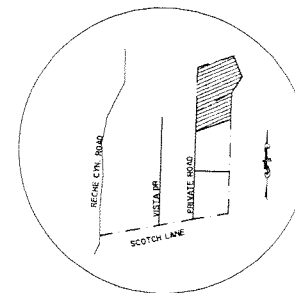




CONST. NOTES
 Q=EX. PRIVATE RD-D
 @=EX. GRADE
 @=RETAINING WALL
 @=PROF. GRADE
 @=WALL
 @=BLDG. WALL

OWNER/DEVELOPER: THE MEN BUILDERS, LLC
 ATTN: VINCE HALL
 1764 E. LUGONIA AVE., SUITE # 104
 REDLANDS, CA 92374
 PHONE: (951) 538 0832

LEGAL:
 APN # 0284-351-65
 AREA: 0.98 ACRES



Chall
 AHSAH M. HABIB, P.E.
 RCE #053774 EXP. 6-30-2007
 DATE: 7/5/05

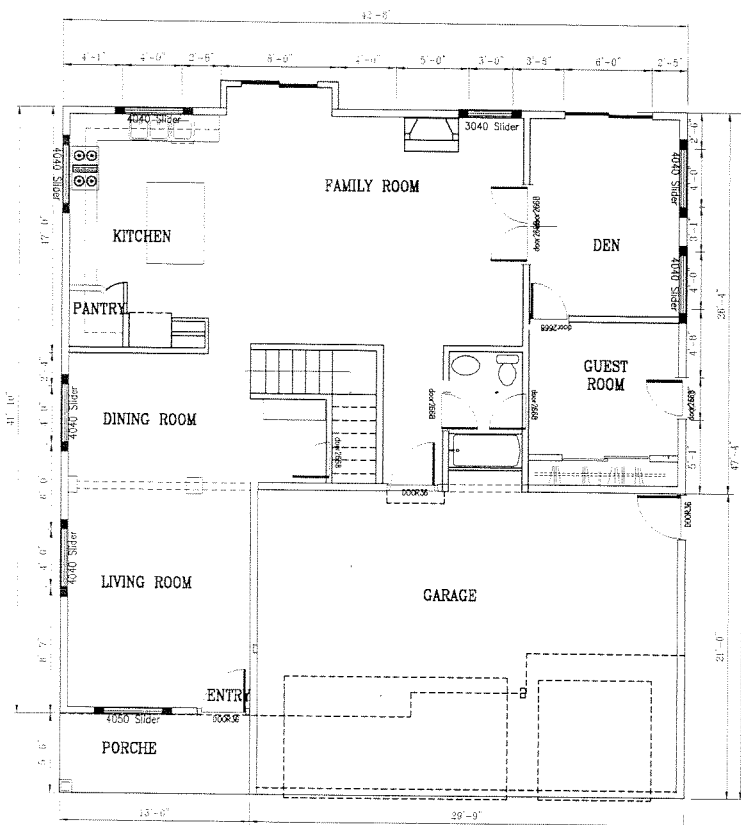


**SITE AND PRELIMINARY
 GRADING PLAN**
 DATE: 07/05/2005

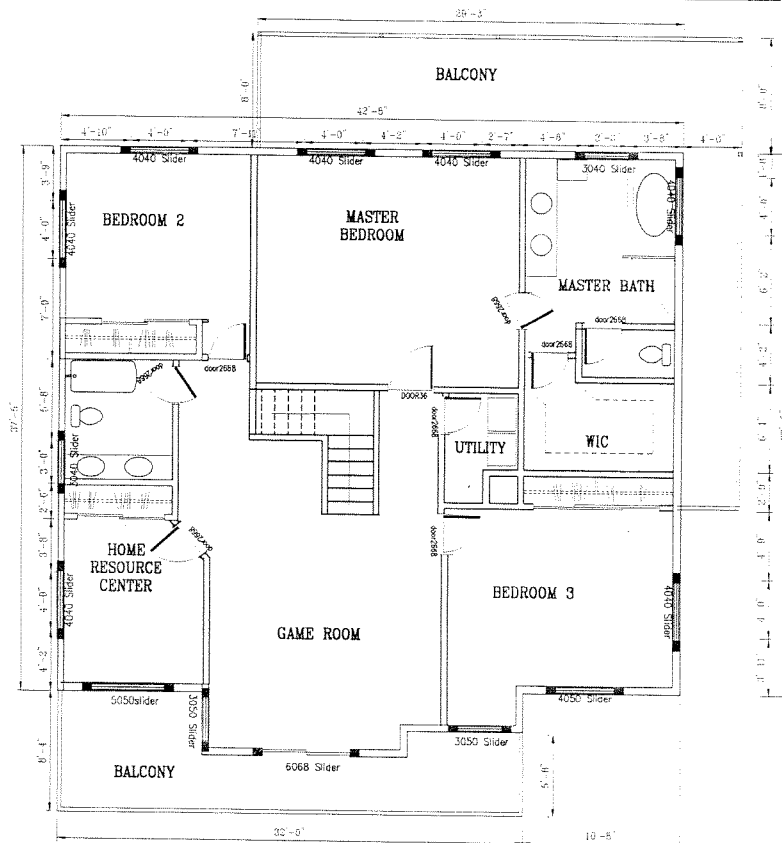
PROPOSED SINGLE FAMILY RESIDENCE
 1764 E. LUGONIA AVE., SUITE # 104
 REDLANDS, CA 92374
 CITY OF LINDA LINDA, CA

ENCORE ENGINEERS
 1100 COUNSELL AVE # C
 REDLANDS, CA 92374
 909 725 5980

DATE: 7/5/05
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 SCALE: 1"=20'
G-1
 SHEET NUMBER



FIRST FLOOR LAYOUT PLAN
1405 SQFT SCALE: 1/4"=1'-0"



2ND FLOOR LAYOUT PLAN
1675 SQFT SCALE: 1/4"=1'-0"

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL STRUCTURAL ELEMENTS AND UTILITIES PRIOR TO CONSTRUCTION. ANY DISCREPANCIES BETWEEN THE DRAWING AND THE ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DRAWING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE FIELD CONDITIONS. THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.



ENCORE ENGINEERS
700 E. REDLANDS BLVD #U359
REDLANDS, CA 92373
909 725 5980

FLOOR LAYOUT PLAN

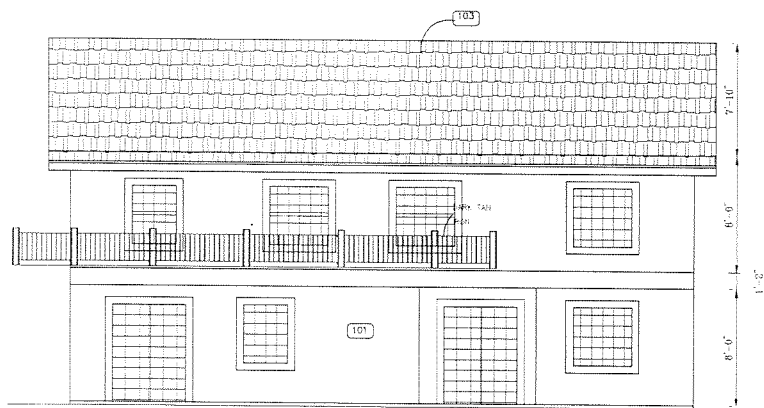
PROPOSED SINGLE FAMILY RESIDENCE
VISTA STREET / SCOTCH LN.
LOMA LINDA, CALIFORNIA

A-1

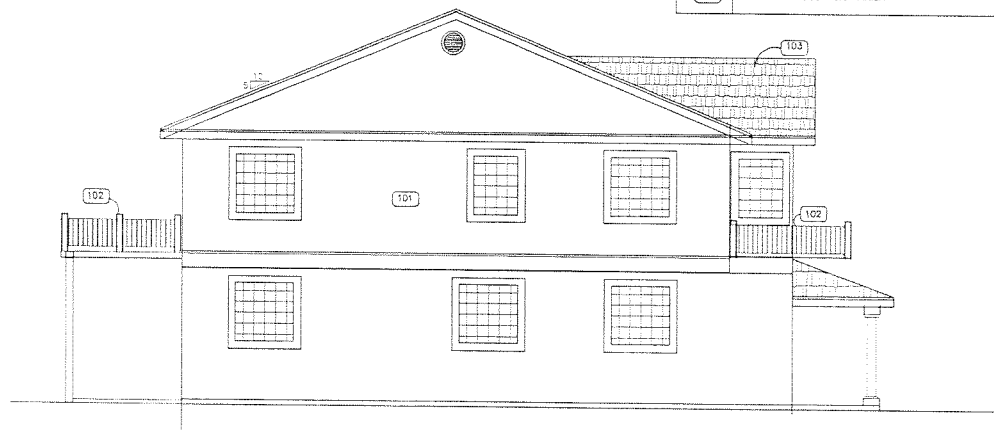
SHEET NUMBER



FRONT ELEVATION
SCALE : 1/4"=1'-0"



REAR ELEVATION
SCALE : 1/4"=1'-0"

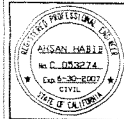


LEFT HAND SIDE ELEVATION
SCALE : 1/4"=1'-0"



RIGHT HAND SIDE ELEVATION
SCALE : 1/4"=1'-0"

FINISH SCHEDULE	
ITEM	DESCRIPTION
101	EXTERIOR STUCCO FINISH-LIGHT BROWN
102	DARK TAN PAINT FINISH WROUGHT IRON GRILL
103	LIGHT WEIGHT CONCRETE ROOF TILE LIGHT GRAY ASBESTOS TILE AMERICAN BLEND
104	WINDOW VENTIL SLIDER 1" GRILL -4'-0" WX4'-0"H
105	EXTERIOR DOOR-PAINT FINISH
106	EXTERIOR DOOR OAK FINISH



ENCORE ENGINEERS
700 E. REDLANDS BLVD#0359
REDLANDS, CA 92373
909 725 5980

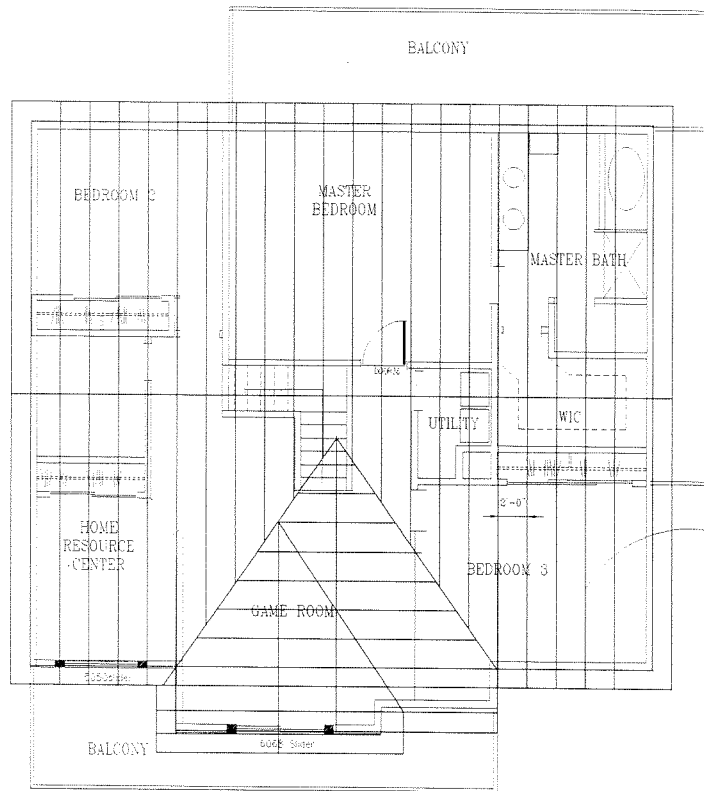
ELEVATION PLAN

SHEET TITLE

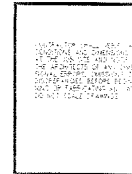
PROPOSED SINGLE FAMILY RESIDENCE
VISTA STREET /SCOTCH LN.
LOMA LINDA, CALIFORNIA

A-2

SHEET NUMBER



ROOF PLAN
SCALE: 1/4"=1'-0"



ENCORE ENGINEERS
700 E. REDLANDS BLVD #U359
REDLANDS, CA 92373
909 725 5980

FLOOR LAYOUT PLAN

PROPOSED SINGLE FAMILY RESIDENCE
VISTA STREET / SCOTCH ROAD
LOMA LINDA, CALIFORNIA

A-3
SHEET NUMBER



PL-TANUS FAGENDIIS - POLYSPORA CYAMORE



MAGNOLIA GRANDIFLORA - TO MAGNOLIA



LANTANA MONTEVIDEENSIS - NEW GOLD



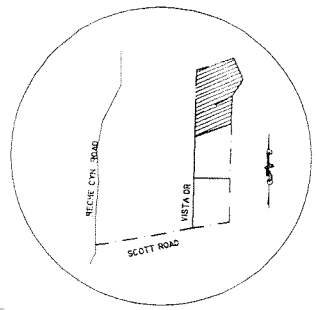
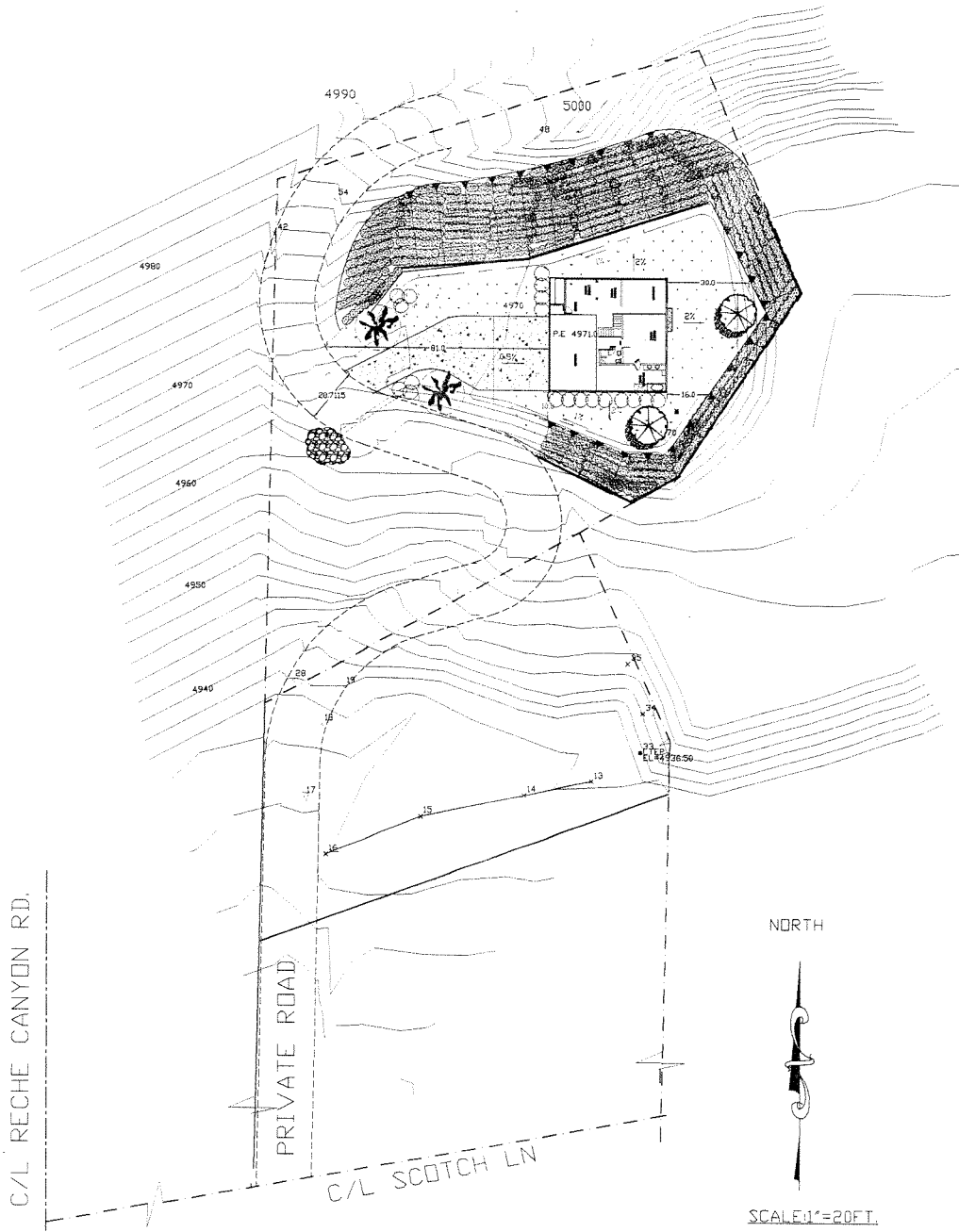
GEORGE LO-EE



CACTUS MULCH



TURF



Amelle
 ANHAN M. HABIB, P.E.
 RCE #053274 EX. 6-30-2007



LANDSCAPING PLAN
 GRADING PLAN

PROPOSED SINGLE FAMILY RESIDENCE
 VISTA DRIVE/SCOTCH LANE
 CITY OF LOMA LINDA, CA

ENCORE ENGINEERS
 1130 CORNELL AVE # C
 RICHMOND, CA 94804
 800 725 5880

Underground Service Alert
 1-800-480-4133
 422-4133

DATE: 04/04/2005
 SHEET NUMBER
 L-1